

Below is the Order of the Court.



A handwritten signature in black ink, appearing to read "CM Alston", is written over a horizontal line.

Christopher M. Alston
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

CHRISTOPHER M. ALSTON
Bankruptcy Judge
United States Courthouse
700 Stewart Street, Room 6301
Seattle, WA 98101
206-370-5330

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:

1103 33rd St. LLC,

Debtor.

Case No. 15-16523-CMA

ORDER SCHEDULING CASE
MANAGEMENT CONFERENCE AND
REQUIRING DEBTOR TO SEND NOTICE

Pursuant to 11 U.S.C. §105(d), Fed. R. Civ. P. 16, and Bankruptcy Rules 7016 and 9014,
a case management conference will be held on Friday, February 5, 2016 at 11:30 a.m., in
Judge Alston's Courtroom, Room 7206, United States Courthouse, 700 Stewart St., Seattle,
Washington. The purpose of the conference is to expedite the Chapter 11 case by establishing
early and continuing control, to discourage wasteful litigation activities, and to facilitate
settlement of disputed matters.

ORDER SETTING CASE MANAGEMENT CONFERENCE - 1

1 At the conference, the Court may consider and take action with respect to the formulation
2 and simplification of issues in the Chapter 11 proceeding, the advisability of referring matters to
3 an examiner or trustee, the possibility of settlement of issues or the use of extrajudicial
4 procedures to resolve disputes, the need for adopting special procedures for managing potentially
5 difficult or protracted adversary proceedings or contested matters that may involve complex
6 issues, and such other matters as may aid in the progress of the Chapter 11 case.

7 An officer of the debtor must be present at the conference. **Attendance of interested**
8 **parties other than the debtor is not mandatory, but strictly voluntary.** As to any interested
9 parties who do attend the conference, at least one of the attorneys for each party, or a
10 representative of each party unrepresented by an attorney, should have authority to enter into
11 stipulations and to make admissions regarding all matters that the participants may reasonably
12 anticipate may be discussed. All parties should be prepared to address the issues listed on
13 Exhibit A attached hereto to the extent those issues may apply to them.

14 Secured creditors, lien creditors and others contemplating filing motions for relief from
15 stay are advised that many of the issues typically addressed in such motions are likely to be dealt
16 with at the conference, thus they may prefer to refrain from filing such motions until after the
17 conference.

18 In order to provide sufficient information to meaningfully discuss management of the
19 case,

20 IT IS HEREBY ORDERED that:

21 1. **By Friday, January 29, 2016, the debtor shall file and serve on the parties**
22 **served in accordance with paragraph 3 of this Order:**

23 (a) A cash flow analysis, prepared on a weekly basis, for the upcoming 120
24 day period;

25 (b) Historical financial information for the past three (3) years. If there is a
26 seasonal variation in the debtor's income and expenses, the historical financial information shall
27 include monthly recaps of income and expenses;

1 (c) A statement of income and expenses since the date of filing of the petition
2 with an indication as to the amount of paid and unpaid expenses; and

3 (d) A budget (by month) showing expenses the debtor expects to incur for
4 professional fees and costs (of any kind) during the Chapter 11 case.

5 2. Any party who believes that the estate is liable for its attorneys' fees should be
6 prepared to discuss the potential fees that the party will ask the estate to pay.

7 3. **THE DEBTOR SHALL SERVE A COPY OF THIS ORDER WITHIN SIX (6)**
8 **DAYS OF THE DATE OF THIS ORDER ON THE TWENTY LARGEST UNSECURED**
9 **CREDITORS, ALL SECURED CREDITORS, ALL PRIORITY CREDITORS, LESSORS**
10 **OF REAL PROPERTY TO THE DEBTOR, THE UNITED STATES TRUSTEE, AND**
11 **ANY OTHER PARTIES IN INTEREST THAT THE DEBTOR BELIEVES WILL BE**
12 **PARTICIPATING ACTIVELY IN THE CASE.** If any amounts, including taxes, are owed

13 the State, the Bankruptcy and Collections Unit must be served with a copy of this order at:

14 Office of the Attorney General
15 Bankruptcy and Collections Unit
16 800 Fifth Avenue, Suite 2000
Seattle, WA 98104

17 If any amounts, including taxes, are owed the federal government, the United States Attorneys
18 Office must be served with a copy of this order at the following addresses:

19 United States Attorney's Office
20 Attn: Bankruptcy Assistant
21 700 Stewart Street, Suite 5220
Seattle, WA 98101

22 Internal Revenue Service
23 915 Second Ave., MS243
24 Seattle, WA 98174

25 If any amounts, including taxes, are owed King County, the County must be served with a copy
26 of this order at:

1 King County Treasury
2 Attn: Linda Crane Nelsen
3 500 - 4th Avenue, #600
4 Seattle, WA 98104-2387

5 A proof of service listing the names and addresses of the parties served shall be filed with
6 the Court within ten (10) days of the date of this order.

7 ///END OF ORDER///
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EXHIBIT A

1. Preliminary matters

- ▶ Filing of schedules and other documents
- ▶ Appointment of creditors' committee
- ▶ Is debtor a small business under section 101(51D)
- ▶ Retention of Counsel approved (Note any problems with retention or terms of retention)
- ▶ Retention of counsel for creditors' committee
- ▶ Retention of other professionals
- ▶ Filing of tax returns/due dates
- ▶ Other

2. Information about the debtor

- ▶ Individual/corporation/partnership
- ▶ Type of business
- ▶ Total assets and liabilities
- ▶ Number of employees
- ▶ Unique characteristics
- ▶ Does debtor have accounting support/recent financial statements
- ▶ Problems with taxing authorities
- ▶ Insurance

3. Emergency Matters

- ▶ Cash collateral use
- ▶ §364 borrowing contemplated
- ▶ Payment of prepetition wages
- ▶ Utilities
- ▶ Sales of property
- ▶ Other

4. Adversary Proceedings

- ▶ Preferences
- ▶ Fraudulent conveyances
- ▶ Other

5. Information about Secured Creditors

6. Information about priority unsecured creditors

7. Information about general unsecured creditors

1 8. Information about executory contracts

2 9. Deadlines and Dates

- 3 ▶ 341 Meeting date
- 4 ▶ Initial deadline under 365(d)(4) - 120 days after filing or order confirming
5 plan: Nonresidential real property leases deemed rejected after the earlier of
6 those dates unless debtor moves for extension of time
- 7 ▶ Deadlines under FRBP 9027
- 8 ▶ 120 day deadline for returned goods for credit under sec. 546(h) &
9 553(b)(1)
- ▶ 180 day exclusivity deadline for plan and disclosure statement
- ▶ Plan must be filed not later than 300 days
- ▶ Dischargeability Complaints
- ▶ Bar date for Claims

10 10. Anticipated actions of creditors

- 11 ▶ Motion to convert/dismiss
- 12 ▶ Motion to appoint trustee
- 13 ▶ Motion for relief from stay/adequate protection
- ▶ Motion to shorten exclusivity period

14 11. Summary of debtor's proposed plan and anticipated date of filing

15 12. Contents of further scheduling and case management order to follow as a result of
16 conference